

## FERN FREE OF PARTY HINDRANCE IN APPOINTMENTS

County Committee Meets Tonight to Pass on Applications for Jobs

"I would like to have it understood," says Senator Manuel C. Pacheco, chairman of the Democratic county committee, "that the county committee will not attempt to force upon Mayor Fern any candidate for appointment to a city and county office. The committee intends to pass on applicants as regards their party affiliation and qualifications, and will leave the rest entirely to the mayor."

What probably will be the final meeting of the county committee before the new city administration is launched will be held this evening, and the session will be an executive one.

To date more than 150 applications for positions under the new administration have been received from Democrats and these are to be considered tonight.

The work of the committee at this meeting will be to weed out from the applicants those who are not deemed eligible to hold positions, and when this has been completed the committee will draw up a list and hand it to the mayor, from which list it is presumed, he will make his final appointments.

"None of the names of these applicants will be made public until the mayor has made his appointments," says Chairman Pacheco.

The problem of how the five Republican supervisors will look upon the appointments to be made by Mayor Fern remains unsolved as far as the Democratic county committee is concerned.

Asked today if the committee believes the Republican supervisors will oppose any or all appointments, Chairman Pacheco said:

"We hope they will not, as we consider the mayor has the right to appoint officials not provided for in the city and county charter. And we further believe that the responsibility for all such appointments should rest upon the mayor unless, of course, he appoints a person or persons apparently unfit to hold a position. Then we would expect all of the supervisors to voice their disapproval."

The county committee was to receive applications for positions up to noon today.

### FIVE MOTORISTS LACKING LIGHTS GET INTO TROUBLE

Policeman Joe Perry went out on the streets last night and arrested five motorists whose machines were standing without sufficient lights. One, Ah Lee, did not appear for trial this morning in police court and forfeited a \$10 bond. All the others pleaded guilty and paid a \$10 fine. They were Quon Yau, Y. Harano, R. R. McKelvey and M. Awaia.

## GETS NEWSPAPER 28 YEARS OLD

To be told by a friend at the New Zealand city where he was staying that he had a Honolulu newspaper for him, which when delivered proved to be 28 years old, was the unusual experience which befell Francis J. Green a few months ago.

Green, who is executive officer of the selective draft registration board, brought the paper into the Star-Bulletin office today. Its date is June 8, 1889, and the paper is the Honolulu Daily Bulletin.

Mr. and Mrs. Green were living at a hotel in New Plymouth, New Zealand, when a friend of theirs named Corkie, one of the city's most prominent citizens and dairy ranchers, told them he had a Honolulu newspaper for them, which might interest them even if the news were a little belated. New Plymouth is the center of a big butter producing section.

He brought the ancient paper to them. It was a copy he had preserved because in that year the first shipment of New Zealand butter was made to Honolulu from the Taranaki dairies, in which he was interested. The item referring to the butter reads as follows:

"Lovers of good butter and cheese should call on Mr. L. J. Levey at his office, and there they will find a consignment of fresh butter and cheese from the Taranaki Dairies, New Zealand. The butter is done up in neat tins and is a very superior article. Try it and see for yourselves."

About the most interesting news story in the paper, which has advertisements all over the first page and carries its news on the inside pages, is the following item:

"The schooner Equator, which arrived at San Francisco May 21 from Apia, will shortly touch at Honolulu and take Robert Louis Stevenson and wife to Butaritari, and thence around the Gilbert group, bringing them back to Butaritari."

An advertisement in the same issue offers the Emerson Homestead at Waiakula to let. This is today the Halewa Hotel.

### SUPERVISORS KICK AT MISTAKES AND COST OF OFFICIAL PHOTO

A group picture of the members of the outgoing board of supervisors was hung in the assembly hall of the city hall this morning and each member of the board took turns finding fault with it. Hollinger and Ahia kicked because their names were written wrong; the former's first name being Ben and not Benjamin as inscribed on the picture, and Ahia's middle initial was "H" instead of "M."

On top of it a bill for \$40 for the picture was presented and that started some more wrangling as it was thought too much, but it was finally approved.

Capt. Allen Tucker was presented with a silver medal given by the city of Bordeaux in recognition of his guiding an armed American vessel through the war zone.

## LOCAL AND GENERAL

The town of Terni in Italy was shaken by four earthquakes which caused a panic and did considerable damage.

E. Platow, resident sales manager of the Koppel Company, H. Hackfeld & Company, agents for the territory of Hawaii, has gone to the Queen's hospital for several days for a slight operation.

Motorcycle tools, taps, dies and other property belonging to the late Chief Mechanic Robert Wenzel, 1st Field Artillery, will be sold at auction tomorrow at headquarters of Battery F. The sale begins at 1:30.

An entertainment for the Red Cross of Honolulu to be given by the Aloha Temple of the Shrine was endorsed by the advertising committee of the Chamber of Commerce Thursday. The reason for the committee's endorsement as opposite to similar requests which have been turned down, is because every cent taken in will be turned over to the Red Cross while in the case of many others only a certain percentage is given, the rest going for salaries and expenses.

Miss Doelinda Fraga, a teacher at Waiapahu, was married to John P. Perry, connected with the Honolulu Plain Mill, last night by Rev. Father Charles L. Windels, at the Catholic church at Waiapahu. Mr. and Mrs. William G. Andrade were witnesses. The bride is a sister of Sister Mary of the Academy of Sacred Hearts, Kaimuki. The couple were given a reception at the home of Mr. and Mrs. William G. Andrade, 1522 Alexander street, after the wedding. They will make their home in the city after a brief honeymoon outside of Honolulu.

### NEW OFFICERS CHOSEN BY EVANGELICAL ASSN.

Rev. Henry K. Poepe was elected moderator of the Hawaiian Evangelical Association at the closing session of the 95th annual conference this morning in Kawaiahaeo church. Other officers to serve during the ensuing year were elected as follows:

Rev. James Davis, vice-moderator; P. D. Kellett, scribe; Rev. William Poal, assistant scribe; Jonathan K. Nakia, assistant scribe; Theodore Richards, treasurer.

The program committee was appointed to consist of Rev. Henry P. Judd, Rev. John P. Erdman, Rev. Akalo Akana and Hon. William Hyde Rice. The appointment of the entertainment committee, and the time for the meeting of the Honolulu church which is to invite the conference, has been left to the Oahu association.

The spirit of the meetings of the 95th annual conference has been excellent and the delegates completed their work with a feeling that the session has been a valuable one. More than 150 ministers and delegates attended the conference.

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Senator Charles F. Chillingworth is ill at his home today.

## COMPENSATION ACT TO BE FOUGHT TO SUPREME COURT, IS STATEMENT

(Continued from page one)

In court circles that other circuit courts now will consider the compensation law invalid unless and until Judge Ashford's decision is reversed by a higher court. While such a holding would not be binding on the other courts, it is pointed out that confusion might result if the act was considered a valid law on Kauai, for instance, and an invalid one in Honolulu.

It was further reported that insurance men of Honolulu, whose business has been suddenly disorganized by the decision, would hold a meeting shortly to consider what action they should take. The insurance men believe that the law is entirely constitutional and will be so upheld by the supreme court, one of them said today.

The decision yesterday is regarded by insurance men as merely the first of a series of steps testing out the constitutionality of the law and in no way as final.

"The result of this decision is that the demurrer of the defendant in this case must be and the same is hereby overruled, and defendant is allowed 10 days from this date within which to answer the declaration."

With this paragraph Circuit Judge Clarence W. Ashford concludes the notable decision holding that the territorial workman's compensation act is unconstitutional. The decision, comprising 30 typewritten pages and handed down yesterday afternoon, is the result of nearly a year of work by Judge Ashford, during which time he consulted hundreds of former decisions on the same subject and citations from other cases. A summary of the decision was given in yesterday's Star-Bulletin.

The decision is based on two actions for the recovery of damages, one by J. J. Carroll against the Marconi Wireless Co., and the other by Edgar T. Anderson against the Hawaiian Dredging Co. Plaintiffs alleged they were injured during the course of their employment and sought relief under the common law on the ground that the workman's compensation law is unconstitutional.

The defendant companies filed demurrers to the complaints, which demurrers are overruled by the decision. Two provisions of the act are attacked; first, the procedure provided for obtaining compensation for such in-

juries and, second, the denial of a trial by jury.

### What Decision Says

In part, the decision, says: "The demurrer raises the point that, by virtue of act 221 of the session laws of 1915, the Hawaiian legislature has swept away any right that may previously have existed on the part of this plaintiff, or others in similar condition, to maintain in the courts any action of this character to recover compensation for injuries such as are alleged in the declaration."

"If said act is constitutional, there can be no doubt that the demurrer should be sustained, but this constitutionality of the act is contested by the plaintiff."

"I have reached the conclusion that only two points need be discussed and decided in order to a disposition to the demurrer in question, and those are the points of questions whether the Hawaiian statute is obnoxious to the constitutional guaranty of due process of law at the point of the notice which should be given to all parties concerned, by the committee of arbitration or the industrial accident board, before proceeding to a hearing and determination of any complaint; or cause submit to it for decision; and also, whether the deprivation of jury trials constitutes a denial of due process of law."

"It will be observed that the constitution has placed life, liberty and property upon an exact equality in the protection which the constitution affords it in this respect, and that no person shall be deprived of either without due process of law. For this reason the decisions of courts where in any of these three constitutionally-protected privileges has come under discussion are equally in point where either of the others is involved."

"However inexplicable it may be that the Hawaiian legislature should have passed the act in question (de signed, as it undoubtedly is, to relieve a condition of injustice and inequality that had long prevailed under the terms of the common law), without having provided for the giving of that notice which is a constitutional sine qua non to its validity, yet the fact remains as stated, the defect in the statute is obvious, and irreparable, and for this reason, if for no other, I find the entire act to be unconstitutional, invalid and of no effect."

## JAPANESE LEAD ALL NATIONALITIES ENROLLED IN LOCAL PUBLIC SCHOOLS

### Total Roster Shows Gain of 1065 for School Population for 1916-17 Term

One thousand and sixty-five more children attend the public schools of Honolulu during the 1916-17 term than during the 1915-16 term, according to figures which have been made public by the department of public instruction. When the city schools closed a week ago the enrollment was 9725 as against 8660, the total enrollment in June, 1916.

### MISS DIECKMANN TO LEAVE W. C. A.

Miss Annetta Dieckmann, educational and extension secretary of the W. C. A., has resigned, and will leave soon for the mainland, where she will take up sociological work. Miss Etta Agge of Los Angeles will succeed Miss Dieckmann as extension secretary.

Miss Dieckmann is a graduate of Cornell University. She came to Honolulu two years ago when the present headquarters of the association was being made over. Miss Dieckmann came to be the fifth secretary on the staff of the association 15 years ago. Nine new workers have been added in the past two years.

Miss Dieckmann has in the two years of her stay contributed generously to the thought-life of the community, through active participation in the work of the College Club, Church and Bible School.

### DUTCH CRUISER ON EAST COAST

(Associated Press by U. S. Naval Command.) AN ATLANTIC PORT, June 29. — A Dutch cruiser arrived here today. It is believed that the warship is to convoy merchant vessels to Holland.

### ALLEGED YOUNG THIEVES IN PUNAHOU MEET GRIEF

A gang of boys suspected of stealing bread, milk and soda water from a residence in the Punahou district was rounded up this morning by Probation Officer Joseph Leal and each member given a lecture and warned not to do it again. Leal also investigated the case of a 16-year-old Portuguese boy who refuses to go to work and support his widowed mother, who is an invalid. Two jobs have been secured for the boy by the probation officer, but he has left each place. Leal says he will give him one more chance.

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## STORAGE

WE STORE EVERYTHING CITY TRANSFER COMPANY PHONE 1281

## Every Conscientious Grocer SELLS

## LOVE'S CREAM BREAD

"WRAPPED AS SOON AS BAKED"

THERE'S A REASON—INSIST ON HAVING IT

## ENEMY ALIENS SEEKING PAPERS

The Central Powers will be represented in federal court tomorrow morning when the naturalization calendar is called, three Germans, three Austrians and one Turk to be among those examined as to their qualifications to become citizens of the United States.

Tomorrow will be one of the busiest naturalization days in months, as Judge H. W. Vaughan will have 17 cases to dispose of. Following is a list of the petitioners to be examined:

E. R. Bauer, Germany; Thomas Lane, England; Charles Rutkowski, Austria; Frank Salsburg, England; Frank Raymond, France; I. F. Rosa, Portugal; C. F. Dempsey, Ireland; Frank Anlas, Turkey; Vincent Post, Austria; Gerard Helberger, Holland; Otto Gutrich, Germany; Paul Muller, Germany; Charles Heron, Nova Scotia; Franz Hergenbath, Austria; William Bolster, Australia; Jose Alexander, Portugal; Edgar Anderson, England.

## NO ROADS, NO GROCERY DELIVERY, PERIL SEEN UP ON ALEWA HEIGHTS

Residents of Alewa Heights face the imminent danger of being unable to get grocery deliveries anywhere in the entire section because of our bad roads," said F. D. Crockett, insurance man and Alewa property owner, today. "I have just been informed by a neighbor that after July 1 the grocery stores of the city will not deliver to us because of the condition of Wyllie street and the road to the Heights."

"We went down to several meetings of the present board of supervisors to get action on better roads and as soon as the new board is installed we will ask it for help. We are willing to go in on a frontage tax proposition if that will help give us good roads."

## PUGNACIOUS PUGILISTS WALLOPED IN COURT AFTER BERTATING COP

"Jack Johnson" fought a hard fight in police court this morning but the decision of the judge was against him. For using profane language to a police officer he was fined \$20 and costs. He was released on his own recognizance to try to get the money.

Wednesday night Johnson got into a tiff on the street with Policeman Kupa and is said to have used some particularly vulgar language.

This morning he conducted his own defense in a wild manner that was quieted by Judge Irwin and then he went on the stand himself to declare that all the police had it in for him and were jealous of him because he could use his fists and had whipped a few of them in fair fight. He said he had been on every island in the group and had not yet been in jail.

### If Not Satisfied

with former results, consult Dr. John J. Mundorff of the

## American Optical Co.

1148 Fort Street Blaisdell Bldg.  
Honolulu, T. H.

## Free Ice Cream Cones

### for the Kiddies---Tomorrow

IT'S OUR TREAT

We have added Ice Cream Cone service to our Soda Fountain department, and to inaugurate the new feature we will have a

## FREE CONE DAY

Every child calling at our store with an adult, between 9 a. m. and 5 p. m. Saturday, June 30th, will be given an

ICE CREAM CONE WITHOUT CHARGE.

## Benson, Smith & Co., Ltd.

"Service Every Second"  
Fort and Hotel Streets  
"The Rexall Store"

Open Until 11:15 P. M.



## "All of Today's News Today"

### What We've Done for the Soldier

Above is the Star-Bulletin's branch office, recently established at Schofield Barracks, to insure Uncle Sam's largest army post the best possible newspaper service.

Owing to the fine train service and our numerous reliable sources of obtaining important news quick, together with the personal supervision we give to delivery, The Star-Bulletin is giving its very best to the officers and men of Schofield.

Subscriptions, advertising and printing may be ordered from our representative, Mr. von Kolkow. Subscription rates, 75c per month, \$2 per quarter, \$8 per year. Advertising and printing rates upon application.

## Honolulu Star-Bulletin

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